



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

AUG 20 2002

Mr. Robert M. Sweitzer  
Packaging Corporation of America  
Technical and Development Center  
250 South Shaddle Avenue  
Mundelein, Illinois 60060

Ref. No. 02-0172

Dear Mr. Sweitzer:

This is in response to your June 17, 2002 letter, requesting an opinion on hazardous materials training requirements for individuals. Specifically, you question whether individuals engaged in the manufacture of corrugated boxes and marking them with the ORM-D designation are considered hazardous materials employees and require training as specified in the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

It is the opinion of this Office that the individuals as described are hazmat employees and require hazmat training because they perform covered functions; i.e., manufacturing packagings used for hazardous materials and apply markings on the package. As required in § 172.702(a)(b), a hazmat employer shall ensure that each of its hazmat employees is trained in accordance with the requirements prescribed in this subpart.

As defined in § 171.8, a hazmat employee means a person who is employed by a hazmat employer and who in the course of employment directly affects hazardous materials transportation safety. The term includes an owner-operator of a motor vehicle which transports hazardous materials in commerce. This term includes an individual, including a self-employed individual, employed by a hazmat employer who, during the course of employment: loads, unloads, or handles hazardous materials; manufactures, tests, reconditions, repairs, modifies, marks, or otherwise represents containers, drums, or packagings as qualified for use in the transportation of hazardous materials; prepares hazardous materials for



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172.702

transportation; is responsible for safety of transporting hazardous materials; or operates a vehicle used to transport hazardous materials. A hazmat employee who performs any function subject to the requirements of this subchapter may not perform that function unless instructed in the requirements of this subchapter that apply to that function.

I hope this information is helpful. If we can be of further assistance, do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings

Chief, Standards Development

Office of Hazardous Materials Standards



June 17, 2002

Mr. Ed Mazzullo  
Director, Office of Hazardous Materials Standard  
U.S. DOT/RSPA (DHM-10)  
400 7<sup>th</sup> Street SW  
Washington, DC 20590-001

Foster  
§ 172.704  
Training  
02-0172

Dear Mr. Mazzullo:

I need an official opinion concerning whether or not individuals engaged in the manufacture and marking of ORM-D corrugated boxes are considered Haz-Mat employees and, therefore, require training.

Your prompt response would be appreciated. You may e-mail me at [rsweitzer@packagingcorp.com](mailto:rsweitzer@packagingcorp.com) or fax a response to 847-482-2100.

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Sweitzer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert M. Sweitzer